

NOTE: Where it is feasible, a syllabus (headnote) will be released, as is being done in connection with this case, at the time the opinion is issued. The syllabus constitutes no part of the opinion of the Court but has been prepared by the Reporter of Decisions for the convenience of the reader. See *United States v. Detroit Lumber Co.*, 200 U. S. 321, 337.

SUPREME COURT OF THE UNITED STATES

Syllabus

LEATHERMAN ET AL. v. TARRANT COUNTY NARCOTICS
INTELLIGENCE AND COORDINATION UNIT ET AL.
CERTIORARI TO THE UNITED STATES COURT OF APPEALS FOR THE
FIFTH CIRCUIT
No. 91-1657. Argued January 12, 1993—Decided March 3, 1993

Petitioner homeowners filed suit under 42 U. S. C. §1983 against respondents—local officials acting in their official capacity, a county, and two municipal corporations—alleging that the conduct of local police officers in searching their homes for narcotics violated the Fourth Amendment, and asserting that the basis for municipal liability was the failure adequately to train the police officers involved. The Federal District Court dismissed the complaints because they failed to meet the "heightened pleading standard" adopted by the Court of Appeals, which requires that complaints against municipal corporations in §1983 cases state with factual detail and particularity the basis for the claim. The Court of Appeals affirmed.

Held: A federal court may not apply a "heightened pleading standard"—more stringent than the usual pleading requirements of Federal Rule of Civil Procedure 8(a)—in civil rights cases alleging municipal liability under §1983. First, the heightened standard cannot be justified on the ground that a more relaxed pleading standard would eviscerate municipalities' immunity from suit by subjecting them to expensive and time-consuming discovery in every §1983 case. Municipalities, although free from *respondeat superior* liability under §1983, see *Monell v. New York City Dept. of Social Services*, 436 U. S. 658, do not enjoy absolute or qualified immunity from §1983 suits, *id.*, at 701; *Owen v. City of Independence*, 445 U. S. 622, 650. Second, it is not possible to square the heightened standard applied in this case with the liberal system of "notice pleading" set up by the Federal Rules. Rule 8(a)(2) requires that a complaint include only "a short and plain statement of the claim showing that the pleader is entitled

to relief." And while Rule 9(b) requires greater particularity in pleading certain actions, it does not include among the enumerated actions any reference to complaints alleging municipal liability under §1983. Pp. 2-5.

LEATHERMAN v. TARRANT CTY. NARCOTICS UNIT

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954 F. 2d 1054, reversed and remanded.

REHNQUIST, C. J., delivered the opinion for a unanimous Court.